Serial No.: 10/708,068 Art Unit: 3817 Examiner: KWON, John Page 6 of 8

## **REMARKS**

By this amendment, claims 37-50 have been added. No claims have been amended or canceled. Claims 1-17 and 29-38 were previously canceled.

Claims 18-28 and 37-50 are now pending in the application. Reconsideration and allowance of all of the claims are respectfully requested in view of foregoing amendment and the following remarks.

In the Office Action, the Examiner rejected claim 25 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Specifically, the Examiner stated that it is unclear how to access the information.

The Applicant respectfully disagrees. Claim 25 recites that "the control unit includes a recordable medium accessible by a service technician and configured to maintain a history of any fault indicator." The Applicant submits that a person skilled in the art would know how to access the information stored in the recordable medium. For instance, the way in which the information could be accessed would vary depending on the type of the recordable medium and the type of link to the recordable medium available (a communication port or a wireless connection, for example). Furthermore, service technicians are generally provided with the necessary tools and training to access this information, and would therefore know how to access it (see for example Assignee's US patent #6,801,849 B2). Therefore, it is submitted that no clarification is necessary.

In the Office Action, the Examiner rejected claim 18 under 35 U.S.C. 102(a) as being anticipated by Bouse et al. (US 2004/0019461 A1).

Bouse et al. Is directed to process plant monitoring devices. Monitoring devices are mounted to rotating equipment, receive data from various sensors, and send information, including errors, faults, and alarms, via a communication network to a remote unit located elsewhere in the plant. Faults are therefore indicated on units, such

Serial No.: 10/708,068 Art Unit: 3617 Examiner: KWON, John Page 7 of 8

as computers 24, 26, located remotely from the monitoring devices to provide feedback to plant personnel.

BRP

This is contrary to what the Applicant claims. Claim 18 recites an outboard motor comprising, *Inter alia*, "a multi-mode set of fault indicators mounted directly to a portion of the internal combustion engine". In Bouse et al., as mentioned above, the fault indicators are located remotely from the rotating equipment to which the monitoring device is attached, not directly to a portion of an internal combustion engine as claimed. Therefore the rejection is unsupported by the art and should be withdrawn.

In the Office Action, the Examiner also rejected claim 18 under 35 U.S.C. 102(a) as being anticipated by Koerner et al. (US 6,820,584 B2).

Koerner et al. discloses an outboard motor having an ECU mounted to an internal combustion engine. The ECU transmits a fault signal regarding a low oil pressure condition to a warning system. The warning system can include indicator LEDs, gauges, bells, or other components configured to warn of other fault conditions (see col. 4, lines 26-39). However, Koerner et al. is silent as to the location of the warning system. It does not teach having "a multi-mode set of fault indicators mounted directly to a portion of the internal combustion engine" as claimed by the Applicant. Therefore the rejection is unsupported by the art and should be withdrawn.

For these reasons, it is respectfully submitted that claim 18 is allowable.

In the Office Action, the Examiner rejected dalms 19, 20, and 24-28 under 35 U.S.C. 103(a) as being unpatentable over Bouse et al. However, this appears to be an error since the Examiner's description of Bouse et al. is inconsistent with the actual disclosure of Bouse et al., which does not disclose an outboard motor.

Regardless, claims 19, 20, 24-28 and new claim 37 recite additional features of the invention and are therefore believed to be allowable for the same reasons recited above with respect to claim 18 and for the additional features recited therein.

Serial No.: 10/708,068 Art Unit: 3617 Examiner: KWON, John Page 8 of 8

The Examiner indicated in the Office Action that claims 21-23 contained allowable subject matter.

New claims 38-50 recite features not found in the prior art and are therefore believed to be allowable.

In view of the above amendment and remarks, the Applicant respectfully submits that claims 18-28 and 37-50 are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Jonathan D. Cutler, Reg. No. 40,576

All a Otter

Attorney for the Applicant Tel. (514) 732-7050

Fax (514) 732-7058